

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 13-CR-112

NICHOLAS HERBURGER,

Defendant.

**MOTION FOR LEAVE TO DISMISS
INDICTMENT**

The plaintiff, United States of America, by its attorneys James L. Santelle, United States Attorney for the Eastern District of Wisconsin, and Bridget J. Domaszek, Assistant United States Attorney for said district, hereby seeks leave of the Court to dismiss the indictment in the above-captioned case as to defendant Nicholas Herburger, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure. As grounds therefor, Mr. Herburger passed away on or about January 31, 2014.

Respectfully submitted this 4th day of February, 2014.

Respectfully submitted,

JAMES L. SANTELLE
United States Attorney

By: s/BRIDGET J. DOMASZEK
Assistant United States Attorney